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International Convention on
the Elimination
of all Forms of
Racial Discrimination

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION
Fifty-fourth session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 9 OF THE CONVENTION

Concluding observations of the Committee on the
Elimination of Racial Discrimination

Italy

1. The Committee considered the tenth and eleventh periodic reports of Italy (CERD/C/317/Add.1) at its 1315th and 1316th meetings (CERD/C/SR.1315-1316), held on 8 and 9 March 1999. At its 1330th meeting, held on 18 March 1999 (CERD/C/SR.1330), it adopted the following concluding observations.

A. Introduction

2. The Committee welcomes the tenth and eleventh periodic reports, submitted in one document, and the opportunity to resume its dialogue with the State party. The Committee notes with satisfaction the regularity with which the State party has submitted its reports to the Committee. The Committee particularly appreciates the open, fruitful and constructive dialogue with the representatives of the State party and the additional information provided orally to the wide range of questions asked by members.

B. Factors and difficulties impeding the implementation of the Convention

3. The Committee acknowledges that recent events in neighbouring countries, particularly the former Yugoslavia and Albania, have resulted in a large and sudde.. influx of immigrants to Italy.

C. Positive aspects

4. The Committee welcomes the stated intention of the State party to reform its law so that workers who are not citizens of member States of the European Union (EU) and who leave Italy may request payment of social security contributions made during the period of their employment in Italy.

5. The Committee welcomes the adoption of Law 40 of 6 March 1998, aiming at solving globally and systematically all issues concerning foreigners on Italian territory, as well as the legal provisions on immigrants and foreigners contained in Decree-Law 286 of 25 July 1998.

6. The Committee notes with appreciation the measures taken by the State party to regularize the situation of a large number of foreigners living in Italy, including the regularization of de facto family reunifications.

7. The Committee welcomes the efforts made by the State party in the area of education. Of particular significance are the measures taken to facilitate access to education for children of different cultural and linguistic backgrounds. The Committee also expresses its appreciation for the programmes of inter-racial tolerance which have been introduced in Italian schools and the additional subjects offered to non-EU pupils.

8. The Committee welcomes the statement of the representatives of the State party indicating the intention of the Government of Italy to ratify article 8, paragraph 6, of the Convention, adopted on 15 January 1992 at the Fourteenth Meeting of States Parties to the Convention.

D. Principal subjects of concern

9. Concern was expressed about the continuation of incidents of racial intolerance, including attacks against foreigners of African origin and against Roma people, which are sometimes not recognized by the authorities as having a racial motivation or are not prosecuted.

10. Another subject of concern is the lack of information concerning the implementation of article 6 of the Convention, despite requests to this end made by the Committee in the concluding observations of the report of the State party (see A/50/18, para. 105).

11. In light of reports indicating discrimination against persons of Roma origin, including children, in a number of areas, in particular housing, concern is expressed at the situation of many Roma who, ineligible for public housing, live in camps outside major Italian cities. In addition to a frequent lack of basic facilities, the housing of Roma in such camps leads not

only to physical segregation of the Roma community from Italian society, but to political, economic and cultural isolation as well.

12. Concern is also expressed that in a draft law on minorities presently being considered by the Senate, the Roma are not considered as a minority group and thus would not benefit from the protection offered by the law.

13. In connection with reports of acts of violence and ill-treatment by police and prison guards against foreigners and members of minorities in detention, concern was also expressed about the apparent lack of appropriate training for law enforcement officials and other public officials regarding the provisions of the Convention.

E. Suggestions and recommendations

14. The Committee recommends that the State party strengthen its efforts towards preventing and prosecuting incidents of racial intolerance and discrimination against foreigners and Roma people, as well as ill-treatment of foreigners and Roma in detention.

15. The Committee also recommends that State authorities give more attention to the situation of Roma in Italy, with a view to averting discrimination against them.

16. The Committee recommends that the State party include in its next report statistical data on the ethnic composition of the country. The Committee would particularly appreciate data on the percentage of Italian citizens of foreign origin and the numbers of non-citizens living in Italy.

17. The Committee recommends that the next report include information on the implementation of article 6 of the Convention, including the number of cases dealt with by the relevant authorities and courts of justice.

18. The Committee recommends that the State party consider intensifying education and training of law enforcement officials, in accordance with article 7 of the Convention and General Recommendation XIII of the Committee.

19. While acknowledging the various governmental bodies dealing with minority issues and racial discrimination, the Committee would welcome the establishment of a national human rights commission to address such concerns.

20. With regard to the declarations made by the State party regarding articles 4 and 6 of the Convention, the Committee recommends that the State party consider withdrawing these declarations.

21. The Committee recommends that the State party widely disseminate its report and the present concluding observations. The Committee recommends that the next periodic report of the State party, due on 4 February 1999, address the suggestions and recommendations of the concluding observations.

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